

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In Re:)	
)	Case No. 16-45683-659
Carla Davies)	
)	Chapter 13
Debtor.)	

DEBTOR'S OBJECTION TO CLAIM 10-1 FILED BY CAVALRY SPV I, LLC

THIS OBJECTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE OBJECTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE OBJECTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU . IF YOU OPPOSE THE OBJECTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING, THE DATE OF WHICH WILL BE SENT TO YOU IF YOU FILE A RESPONSE. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE OBJECTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.

Comes now Kimber H. Baro, Attorney for Debtor, and for her objection to claim states as follows:

The secured claim 10-1 filed by Cavalry SPV 1, LLC , assignee of Capital One, N.A., in the sum of \$6,516.39 should be allowed as filed but no payments made by the Trustee because the plan provides for surrender of the 2014 Yamaha 4 Wheeler. An amended claim may be filed for any deficiency balance.

WHEREFORE, Debtor prays the Court will enter its order sustaining this objection.

/s/ Kimber H. Baro
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served upon the Trustee through ECF and on the creditor by regular mail on December 22, 2016.

John V. LaBarge, Jr.
Chapter 13 Trustee
P.O. Box 430908
St. Louis, MO 63143

Cavalry SPV I, LLC
c/o Bass & Associates, P.C.
3936 E. Ft. Lowell Road
Suite 200
Tucson, AZ 85712

/s/ Kimber H. Baro